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09/444,739	11/22/1999	MICHAEL G. MIKURAK	ANDIP355	9035

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OPPENHEIMER WOLFF & DONNELLY, LLP (ACCENTURE)
PLAZA VII, SUITE 3300
45 SOUTH SEVENTH STREET
MINNEAPOLIS, MN 55402-1609

EXAMINER

IRSHADULLAH, M

ART UNIT	PAPER NUMBER
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3623

DATE MAILED: 01/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/444,739

Applicant(s)

MIKURAK, MICHAEL G.

Examiner

M. Irshadullah

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 August 2004 and 18 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 20-25,27-45,47-50,52-71,73-84,86-114,116 and 117 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 20-25,27-45,47-50,52-71,73-84,86-114,116 and 117 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on August 26, 2004 has been entered.

1. This communication is in response to the amendment filed October 18 2004 and August 26, 2004.

Summary Of Instant Office Action

2. Applicant's arguments regarding claims 20-25, 27-45, 47-50, 52-71, 86-114, 116-117 rejected under U.S.C. 103, Office Action mailed February 26, 2004 have been fully considered and are responded below.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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5. Claims 20-25, 27-45, 47-50, 52-71, 73-84, 86-114, 116-117 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dworkin (US Patent 4,992,940) in view of Eastep et al (US Patent 6,731,625 B1).

Dworkin teaches:

Claim 20. A method for a framework to provide for collaborative planning using a network between at least a first business entity and a second entity such as service providers, vendors, resellers, manufacturers and the like, comprising:

(a) using a network to receive information from at least a first business entity, including information relating to a demand of at least the first independent business entity for offerings (Fig. 1, described col. 3, line 60 through col. 4, line 23 and Fig. 7, wherein computer or CPU 1, lines 61-62, functioning as "first business entity", is connected or networked {using a network} to user terminals 5-col. 4, lines 3-10, which facilitates users to providing information about shopping or demand for products or services {demand offerings from said first or first independent business entity}, such as printers, Fig. 6, and consultation services, col. 10, lines 36-45);

(b) using a network to receive information from at least a second business entity, including information relating to a supply of offerings from at least the second business entity (As discussed above Fig. 1 depicting 9a-9d connected or networked to computer 1 via 8a-8d, wherein any of the vendors 9a-9d representing or functioning as "second business entity" or manufacturing participant of the reference's Computer1 {as per applicant's elaboration in claim 21 below}, said any of the vendors or second business entity providing information about products and service, such as indicated by the

recitation "Fig. 6 lists a set of printers made by manufacturers and each product in Fig. 6 include a number identifying the product, the name of manufacturer's model number for the product-col. 6, lines 16-29" and "consulting services, col. 10, lines 36-45". Moreover, the recitation also inferring system's collection or receiving information relating to products or services supplied or offered {offerings or supply of offerings} by any of cited vendors or manufacturers);

e) using the network to facilitate planning between at least the first business entity and the second business entity (See discussion about "planning" in d) above which function a user would use for claimed purpose);

f) using the network to provide data access from multiple simultaneous data sources using a data network for demand and supply planning in a network-based supply chain having at least one service provider and at least one manufacturer (Dworkin: Fig. 1 {3, 5, 7 and 9a-9d} are sources or means which a user would use for "accessing" information or data to and from CPU1 using the reference's network. See discussion about service provider or at least one service provider, manufactures or at least one manufacturer and demand and supply planning respectively in a), b) and d) above);

g) using the network to store capacity data (Dworkin: Fig. 1 {3}, wherein cited database would store claimed capacity information or data); and

In the following elements c) and d):

(c) comparing the supply and the demand for the offerings; and

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(d) using the comparison of the supply and the demand for the offerings to plan future supply and demand for the offerings.

Dworkin teaches:

c) “demand of offerings (as discussed above)”, and

d) “supply and demand for offerings (as discussed above)”,

Dworkin does not teach:

c) comparing, and

d) using comparison for future planning {above discussed supply and demand offerings}”.

However, Eastep et al teach:

“comparing” (Col. 37, lines 18-19), wherein “Authentication base on comparison and database lookup” indicating reference’s teaching a “comparing” function, which function a user would use for above discussed demand and supply offerings), and

“planning” (Col. 52, lines 20-23) wherein “functional model’s management layer comprising planning layer 2300” indicating reference’s teaching “planning”

function(ality), and a user would use the planning function(ality) for planning above discussed “comparison” results in respect of users’ need or demand for and supply by any of the vendors of the goods or services for the time to come or future). Both

Dworkin and Eastep et al deal with supply and demand of products and/or services using the network. While Dworkin facilitates information relating to users’ shopping or demand for goods and services and suppliers’ to provide information about goods and

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services supplied by them, Eastep et al provide a method for planning and predicting the demand and supply of products and/or services.

It would have been obvious to one of ordinary skill in the relevant art at the time of applicant's invention to incorporate Eastep et al's features into Dworkin's invention, thereby providing a system which would enable planning and predicting demand for and supply of goods and/or services.

In the following element:

h) wherein the step of storing capacity data using the network includes replication and synchronization.

Dworkin teaches:

“storing”,

Dworkin does not teach:

(storing) including replication and synchronization.

However, Eastep et al teach the same (Col. 40, lines 54-56, wherein “system comprising replication and synchronization” indicating reference's teaching “replicating and synchronizing” function(alities). Both Dworkin and Eastep et al deal with supply and demand of products and/or services using the network. While Dworkin facilitates information relating to users' shopping or demand for goods and services and suppliers' to provide information about goods and services supplied by them, Eastep et al provide a system comprising replication and synchronization.

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It would have been obvious to one of ordinary skill in the relevant art at the time of applicant's invention to incorporate Eastep et al's features into Dworkin's invention, thereby providing a integrated system enabling storage, replication and synchronization in real-time.

Claim 21. A method as recited in claim 20, further comprising:

using the network to facilitate collaborative network roll-out and planning between the at least the first business entity being a service provider and the at least second business entity being a manufacturer (Dworkin: Fig. 1 and col. 4, line 52, wherein Fig. 1 shows employing or using network which would enable system users {CPU1 representing first business entity providing service about goods and services to the user or shopper and any of the vendors 9a-9d functioning as second business entity or a manufacture) to obtain "information about new products or services" or "roll-out or network roll-out" and planning thereof as discussed above).

In the following claim:

Claim 22. (New) A method as recited in claim 20, further comprising:

using the network to facilitate collaborative forecasting between at least the first business entity and the second business entity.

Dworkin teaches:

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using the network and the first business entity and the second business entity (Fig. 1 shows employing or using network, and as discussed above, CPU1 representing first business entity and any of 9a-9d representing second business entity)

Dworkin does not teach:

forecasting.

However, Eastep et al teach the same (Col. 52, lines 29-30, wherein cited "predicting" indicating reference's teaching "forecasting", which function a user would use for claimed purpose. Both Dworkin and Eastep et al deal with supply and demand of products and/or services using the network. While Dworkin facilitates information relating to users' shopping or demand for goods and services and suppliers' to provide information about goods and services supplied by them, Eastep et al providing predicting or forecasting.

It would have been obvious to one of ordinary skill in the relevant art at the time of applicant's invention to incorporate Eastep et al's features into Dworkin's invention, thereby providing a system which would enable prediction of future business conditions or events among the various participants or entities.

Claim 23. A method as recited in claim 20 further comprising:
using the network to provide a roll-out planning tool for facilitating collaborative network roll-out and planning between at least the first business entity and the second business entity (See discussion of applicant's claim 21 above, wherein "information about new products or services coming out or rolled out inferring the availability of a means or a

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tool enabling said function. Also, see discussion about planning and first and second entities above).

In the following claim:

Claim 24. A method as recited in claim 20, further comprising:

using the network to coordinate the supply and the demand of offerings between at least the first business entity and the second business entity.

Dworkin teaches:

using the network, supply and the demand of offerings and first business entity and the second business (See discussion about first and second entities in claim 20 above).

Dworkin does not teach:

to coordinate.

However, Eastep et al teach the same (Col. 58, lines 36-41, wherein “comprehensive and coordinated procedures” indicating reference’s teaching “coordinating” function(ality), which function(ality) a user would use for claimed purpose. Both Dworkin and Eastep et al deal with supply and demand of products and/or services using the network. While Dworkin facilitates information relating to users’ shopping or demand for goods and services and suppliers’ to provide information about goods and services supplied by them, Eastep et al providing co-ordination functionality.

It would have been obvious to one of ordinary skill in the relevant art at the time of applicant’s invention to incorporate Eastep et al’s feature into Dworkin’s invention,

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thereby providing a system which would enable cooperation or coordination among the business system participants.

Claim 25. A method as recited in claim 24 further comprising:

using the network to provide a supply chain planning tool for coordinating the supply of offerings between at least the first business entity and the second business entity (See discussion of claims 20d) and 24 above).

Claim 27. A method as recited in claim 26, further comprising:

using the network to provide a production planning tool for facilitating collaborative capacity planning between at least the first business entity and the second business entity (See discussion about planning in applicant's claim 20d) above.

Moreover, "planning" inferring availability of planning means or tool, which means or tool would allow user to plan maximum or capacity production and supply).

In the following claim:

Claim 28. A method as recited in claim 20, wherein of business entities include at least one of a service provider and a manufacturer and further comprising:

using the network to conduct reverse inventory management between the at least one service provider and the at least one manufacturer.

Dworkin teaches:

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using the network and service provider and manufacturer (See discussion in claim 20 above).

Dworkin does not teach:

reverse inventory management.

However, Eastep et al teach the same (Col. 46, line 66-col. 47, line 6, wherein "RMM load balancing in resource utilization" indicating availability of means or function to maintain or manage a balance between resource load demand and supply thereof at a preset level or "inverse inventory". Both Dworkin and Eastep et al deal with supply and demand of products and/or services using the network. While Dworkin facilitates information relating to users' shopping or demand for goods and services and suppliers' to provide information about goods and services supplied by them, Eastep et al providing load balancing.

It would have been obvious to one of ordinary skill in the relevant art at the time of instant invention to include Eastep et al's feature into Dworkin's invention, thereby providing a system which would enable maintaining products or services at a preset level, entailing an efficient utilization of requisite resources.

Claim 29. A method as recited in claim 24 further comprising:

(a) displaying a plurality of offerings for demand and supply planning (Dworkin: Figs. 3-8, wherein screen are displays {displaying} and Hardware, Software, consulting pointing to a number or plurality of goods and services or offerings being bought

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(demanded) and provided or supplied as per plan or planning discussed in claim 20d) above);

(b) tailoring the display of offerings automatically by generating prices associated with the offerings based on demand for the offerings and supply of the offerings (Dworkin: Fig. 6, and col. 6, lines 16-35, wherein "system's searching and calculating lowest and average prices anew" indicating "generating prices" and the system "depicting or displaying" new search and calculation results as in Fig. 6, col. 6, lines 16-17 indicating the system "updating or tailoring the display" of the prices relating to goods or services being purchased {demand} by the purchase or user and provided or supplied (offerings) by the vendors. Moreover, the system being automated (abstract, lines 1-2 and 23-24), the depiction or displaying of the above discussed new prices occurring "automatically");

(c) allowing a user to select the offerings for purchase using the network, wherein the user is one of the business entities (Dworkin: Fig. 1 (5, 1, 9a-9d) and col. 5, line 10, wherein all the system users use computers, they would employ or use system's "selection" function" to choose or select requisite items or offerings user wants to buy or purchase); and

(d) using the network to accept payment in exchange for the selected offerings (Dworkin: Col. 8, lines 16-17 and 55, wherein "credit card as payment means" and "bill" infer "accept payment" for the products or services the user selected above).

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Claim 30. The method as set forth in claim 29, wherein the prices are promotional prices (Dworkin: Col. 9, line 37 and Fig. 7 (prices \$550 when user would buy 2-4 printers and \$525 when buying 5+ printers), wherein prices \$550 and \$525 are “discounted or promotional prices”).

Claim 31. The method as recited in claim 29, further comprising:
tailoring the display of offerings by generating prices additionally based on a geographic location of the user (Dworkin: Col. 4, lines 36-37, wherein “remote location” of terminals point to depicting above discussed prices at a certain place or geographical location, such as city, county, country. Moreover, above discussed price calculating or generating function would enable a system user to employ said function for calculating or generating price relative to said places).

Claim 32. The method as set forth in claim 29, further comprising: storing at least one of the prices generated (Dworkin: Col. 6, lines 36-37); and
displaying the stored price of the offerings to the user in a subsequent session, wherein the price was stored during a previous session (Dworkin: Col. 6, line 37, cited “display” would depict above discussed prices whenever user desires including next or subsequent session).

Claim 33. The method as set forth in claim 29 further comprising:

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tailoring the display of offerings by varying an availability of the offerings based on demand for and supply of the offerings (Dworkin: Fig. 7 (Price: \$575, \$550 and \$525), wherein cited prices change or vary and are related to number of printers user wants to buy {demand}).

Claim 34. The method as set forth in claim 29, wherein the offerings include at least one of a product and a service (Dworkin: Fig. 4 {8. Printers}).

Claim 35. A method for collaborative network rollout as recited in claim 20, further comprising:

(a) using the network to allow a user to review offerings (Dworkin: Fig. 1 and col. 6, line 63 through col. 7, line 12, wherein "investigating a product-col. 6, line 63" and "displaying menu of choices-col. 7, line 8" inferring the provision of viewing or reviewing function);

(b) using the network to allow the user to select from the offerings (Dworkin: Fig. 1 and col. 5, lines 10-15, wherein "selection" function will enable the user to make selection from above discussed manufactured or supplier's item or offerings);

(c) using the network to prompt the user to enter user indicia (Dworkin: Fig. 1 and col. 5, line 14 and Fig. 3, wherein No. 1, 2 or 3 are numerals or indicia user would input or enter);

(d) using the network to receive the user indicia (Dworkin: Fig. 1 and col. 5, lines 18-20, wherein user's selection of No. 1 and system's displaying indicate system's acceptance or receiving user's input);

(e) completing the sale and delivery of the selected offerings (Dworkin: Col. 8, lines 53-56, wherein "shipping and billing" indicate finalizing or completing the selection);

(f) using the network to monitor the status of the selected offerings using the user indicia for demand and supply planning (Dworkin: Fig. 1 and col. 10, lines 14-15, wherein "user's verifying receipt of his order" inferring the availability of "monitoring the status"); and

(g) using the network to communicate information on demand and supply planning the selected offerings to the user based on the user indicia (Dworkin: Fig. 1 and col. 8, lines 25-56, wherein "order processing-lines 25-26, preparing documentation-line 27, calculating shipping charges-lines 38-39 and transmitting the order-lines 34-35" point to planning the delivery and user would use above discussed numerals or indicia).

Claim 36. The method as set forth in claim 35, wherein the selected offerings include at least one of products and services (Dworkin: Fig. 4 {8. Printers}).

Claim 37. The method as set forth in claim 35, wherein the user indicia includes a user profile (Dworkin: Col. 8, lines 11-24, wherein user's "name, address,

credit card information" represent "user's profile" which would use above discussed numerals or indicia to prepare it).

Claim 38. The method as set forth in claim 37, wherein the user profile defines the at least one of products and services which the user currently at least one of possesses and purchases (Dworkin: Fig. 4 (8. printers), col. 5, lines 51-52), wherein "user's selection printers" indicating user wants to buy printer or a product).

Claim 39. The method as set forth in claim 38, wherein the user profile defines at least one of levels of support, support channel, methods of use of the at least one of products and services, and future purchasing plans (Dworkin: Col. 10, lines 35-39, wherein "desiring a consultant" and "level of experience" point to the desired 'support, channel of support" and this information would be part of user or vendor information or profile). Furthermore, "obtaining whatever information deemed necessary-col. 8, line 20" inferring that user's profile would comprise any information including the claimed ones).

Claim 40. The method as set forth in claim 39 further comprising:
providing support using the support channel and at the level of support defined by the user profile (Dworkin: Col. 10, lines 35-39, wherein cited "consultant" would give or provide claimed support and as discussed above it would form part of profile).

Claim 41. The method as set forth in claim 35, wherein the information is selected from the group of information including a software bug, a factory recall, and a reduced price offering (Dworkin: Col. 10, lines 24-31 and Fig. 7 (\$550 when user would buy 2-4 printers), col. 7, lines 38-40. Since system is using Menus, templates and allows "adding or omitting or deleting" choices in Menus or templates, said Adding or deleting or omitting function would enable adding software bug, factory recall in Fig. 3 Menu).

Claim 42. The method as set forth in claim 35 further comprising:
using at least one of incentives and disincentives to influence the user indicia that is entered (Dworkin: Col. 7, lines 38-38, wherein "discounts" are "incentives").

Claim 43. The method as set forth in claim 35 wherein the offerings are manufactured offerings (Dworkin: Fig. 7 (Heading: Acme Printer Co.), wherein printer is produced by the manufacturer "Acme").

Claim 44. A method as recited in claim 24 further comprising:
(a) using the network to manage client verification data for user authentication purposes (Dworkin: Fig. 1 and col. 4, lines 36-38, wherein user ID, Password etc. are claimed limitations);
(b) using the network to provide electronic mail capabilities (Dworkin: Fig. 1 and col. 8, line 35);

(c) using the network to enable network browsing (Dworkin: Fig. 1 and col. 7, lines 7-8, wherein "display of menu of choices" is browsing information;

(d) using the network to afford file transfer capabilities (Dworkin: Fig. 1 and col. 8, lines 36-38, wherein "transmitting order" is sending or transmitting order document or file);

(e) using the network to provide news reader capabilities (Dworkin: Fig. 1 and col. 9, lines 37-40, wherein "bulletin board" is news reader means);

(f) using the network to afford chat room capabilities (Dworkin: Fig. 1 and above cited bulletin board together with email (col. 8, line 34) would facilitate means or room for chatting);

(g) using the network to enable playback capabilities (Dworkin: Fig. 1 and col. 9, lines 61-68, wherein "selection of vendor number or name" and in return system's displaying information about company is "system's response or playback" of requisite information);

(h) using the network to provide financial transaction capabilities (Dworkin: Fig. 1 and col. 8, lines 16-17 and 55-56 is reference's ability to perform monetary or financial transaction).

Claim 45. A method as recited in claim 44, wherein the step of managing client verification data for user authentication purposes in a network-based supply chain includes using a user profile (Dworkin: Col. 4, lines 35-38).

Claim 47. A method as recited in claim 27, wherein the step of providing data access from multiple simultaneous data sources using a network includes supporting database connectivity protocols (Dworkin: Fig. 1 and col. 3, lines 62-63).

Claim 48. A method as recited in claim 27, wherein the step of providing data access from multiple simultaneous data sources using a network includes supporting data transfer in multiple languages (Dworkin: Fig. 1 (CPU 1 communicating with user terminals, vendor computers, where user and vendor computers would have operating system, which would require CPU 1 to use various or multiple programming languages).

Claim 49. A method as recited in claim 27, wherein the step of providing data access from multiple simultaneous data sources using a network includes providing a common data access language (Dworkin: CPU 1 would itself or some device, such as for instance gateway, would use one general or common language for talking or providing or receiving data from various users' computers).

Claim 50. A method as recited in claim 27, wherein the step of storing capacity data using the network includes testing data integrity (Dworkin: Col. 5, line 11, wherein cited "test 27" would providing ability to test claimed "data integrity").

Claim 52. A method as recited in claim 28 further comprising:

(a) using a network to collect data relating to usage and events occurring on at least one service provided by at least one service provider (Dworkin: Col. 3, lines 62-63, wherein "storing information into database" would enable to collect or store information or data relating to system use or usage and some happenings or events);

(b) analyzing the data to determine a status of the service (Dworkin: Col. 10, lines 14-15, wherein "verifying" inferring "analyzing" and "system's receipt of user's order" pointing to provision of reference's capability of finding or determining claimed "status");

(c) using the status of the service to predict future demand by the service provider for equipment offering supplied by a manufacturer (Dworkin: Above discussed reference's capability to ascertaining or determining status would enable user to employ said capability for claimed purpose); and

(d) determining production capacity, inventory, costs and discounts of manufacturer offerings based on the status of the service (Dworkin: Col. 5, line 11, wherein reference's "determining" function would enable a system's user to employ or use of said function for claimed prices or costs {col. 6, lines 31-35}, discounts {col. 7, lines 39-40} and other items).

Claim 53. A method as recited in claim 52, wherein the events include changes to the at least one service (Dworkin: Col. 4, lines 62-65, wherein "adding" or "omitting or deleting" choices inferring reference system's capability to amend or change

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any number of services, such as new product information, order cancellation or vendor information {all in Fig. 3}).

Claim 54. A method as recited in claim 52, wherein the events include capacity requests for the at least one service (Dworkin: Col. 7, lines 62-63, wherein system's ability to vary "product information in Fig. 7" would enable a user to incorporate any occurrence or event including capacity request in the Fig. 7, Product information menu).

Claim 55. A method as recited in claim 52, wherein the events include performance degradation of the at least one service (Dworkin: As discussed above, variation in Fig. 7 Product information would include decline or degradation in some service(s), such as minimum order, terms accepted, quantity discounts or service contract etc.).

Claim 56. A method as recited in claim 52, further comprising the step of using the network to suggest changes to the manufacturer offerings inventory of at least one manufacturer based on the status of the at least one service in order to optimize supply and costs of the manufacturer offerings (Dworkin: Col. 10, lines 9-14, wherein "user's noting or notifying complaints or making suggestions-lines 11-13", wherein reference's "suggestion" function would enable user to employ it for claimed purpose).

Claim 57. A method recited in claim 20 for technology sharing during demand and supply planning in a network-based supply chain, comprising:

(a) providing locator capabilities utilizing a network (Dworkin: Fig. 7, wherein information about supplier's location, such as Advanced Computers are located in CA, inferring availability of a function or locator function to show or provide location);

(b) transmitting and receiving technology utilizing the network, wherein the technology includes at least one of streaming video and audio data utilizing the network (Dworkin: Col. 4, line 5-6, wherein cited "telephone" would enable a user to send or transmit voice or audio information or data);

(c) logging events utilizing the network (Dworkin: Col. 3, lines 65-66, reference's "storing" function and cited database would enable user to storing or logging any occurrences or events);

(d) managing user profile information utilizing the network (Dworkin: Col. 3, lines 65-66 and col. 8, lines 11-17, wherein "vendor information" or "user information, such as name, address etc." are claimed "profile information");

(e) wherein steps (a)-(d) are carried out for demand and supply planning of the network (Inherent, since when there are more than one calculation is performed using the same program steps, it is a basic technique to repeat the steps until final results are obtained {See claim 22 in US Patent 6,524,109 B1}).

Claim 58. A method as recited in claim 57, wherein the step of providing locator capabilities includes searching criteria to identify and display a locator map

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(Dworkin: Col. 5, lines 43-46 and Fig. 7, wherein Fig. 7 is a screen showing or displaying details or map of vendor's location information, such as name, state).

Claim 59. A method as recited in claim 57, wherein the step of transmitting and receiving technology includes transmitting and receiving streaming stereo audio data (See discussion of claim 57b) above).

In the following claim:

Claim 60. A method as recited in claim 57, wherein the step of transmitting and receiving technology includes an encryption capability.

Dworkin teach:

transmitting and receiving technology (Col. 4, lines 5-10)

Dworkin does not teach:

encryption.

However, Eastep et al teach the same (Col. 42, lines 65-67), wherein "encrypting selected items" indicating reference's teaching an "encryption" function and a user would use the same for claimed purpose. Both Dworkin and Eastep et al deal with supply and demand of products and/or services using the network. While Dworkin facilitates information relating to users' shopping or demand for goods and services and suppliers' to provide information about goods and services supplied by them, Eastep et al providing encryption means.

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It would have been obvious to one of ordinary skill in the business arts to include Eastep et al's feature into Dworkin et al's invention, thereby entailing a system which would ensure security of data or information and also its secure communication over the network.

Claim 61. A method as recited in claim 57, wherein the step of logging events includes an event reporting capability (See discussion of claim 57c) above and Dworkin's "preparing documentation-col. 8, line 27" inferring availability of a function for creating a report or reporting capability).

Claim 62. A method as recited in claim 57, wherein, the step of logging events includes an event log management capability (See discussion of claim 57c) wherein "logging occurrence or event" inferring system's ability or capability to maintain or manage said occurrence or events stored or logged).

Claim 63. A method as recited in claim 57, wherein the step of managing user profile information includes automatically receiving and storing user identity and state (See discussion of claim 57d) above and Dworkin's being an automated system (Abstract, line 1) would allow automatically getting or receiving information and storing it, col. 3, lines 65-66).

Claim 64. A method as recited in claim 63, wherein the step of managing user profile information includes automatically receiving and storing user preferences and

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interests (Dworkin: As discussed above, reference being an automated system, it would enable a user to automatically getting or receiving and storing claimed features).

Claim 65. A method as recited in claim 64, wherein the step of managing user profile information includes automatically exporting the user profile information to an active profile manager (Dworkin: Col. 8, lines 32-35, wherein “transmitting order electronically” pointing to sending or exporting it to outside sources including profile or active profile manager).

Claim 66. A computer program embodied on a computer readable medium **(Dworkin: Col. 3, lines 62-63, wherein cited “database” comprising a storage device, such HD, CD or diskette etc., which are computer readable mediums and contain or store programs for controlling the computer and executing the steps or elements)** for a framework manager to provide for collaborative planning using a network between at least a first business entity and a second business entity such as service providers, vendors, resellers, manufacturers and the like, comprising:

(a) logic circuit for using a network to receive information from at least a first business entity, including information relating to a demand of at least the first independent business entity for offerings (Dworkin’s computer or CPU 1 comprising logic circuit and see discussion of applicant’s claim 20a) above);

(b) logic circuit for using a network to receive information from at least a first business entity, including information relating to a supply of offerings from at least the

second business entity (Dworkin's computer or CPU 1 comprising logic circuit and see discussion of applicant's claim 20b) above);

(c) logic circuit for comparing the supply and the demand for the offerings (Dworkin et al's computer comprising logic circuit and see discussion of applicant's claim 20c) above);

(d) logic circuit for using the comparison of the supply and the demand for the offerings to plan future supply and demand for the offerings (Dworkin et al's computer comprising logic circuit and see discussion of applicant's claim 20d) above);

e) logic circuit for using the network to facilitate planning between at least the first business entity and the second business entity (Dworkin et al's computer comprising logic circuit and see discussion about planning in applicant's claim 20e) above);

f) logic circuit for using the network to provide data access from multiple simultaneous data sources using a data network for demand and supply planning in a network-based supply chain having at least one service provider and at least one manufacturer (Dworkin et al's computer comprising logic circuit and see discussion of applicant's claim 20f) above);

g) logic circuit for using the network to store capacity data (Dworkin et al's computer comprising logic circuit and see discussion of applicant's claim 20g) above);
and

h) logic circuit wherein the step of storing capacity data using the network includes replication and synchronization (Dworkin et al's computer comprising logic circuit and see discussion of applicant's claim 20h) above).

Claim 67. A computer program embodied on a computer readable medium as recited in claim 66, further comprising:

logic circuit for using the network to facilitate collaborative network roll-out and planning between the at least one service provider and the at least one manufacturer (See discussion of applicant's claim 21 above).

Claim 68. A computer program embodied on a computer readable medium as recited in claim 67, further comprising:

code means for using the network to facilitate collaborative forecasting between at least the first business entity and the second business entity (See discussion of applicant's claim 22 above).

Claim 69. A computer program embodied on a computer readable medium as recited in claim 67 further comprising:

code means for using the network to provide a roll-out planning tool for facilitating collaborative network roll-out and planning between at least the first business entity and the second business entity (See discussion of applicant's claim 23 above).

Claim 70. A computer program embodied on a computer readable medium as recited in claim 67, further comprising:

code means for using the network to coordinate the supply and the demand of offerings between at least the first business entity and the second business entity (See discussion of applicant's claim 24 above).

Claim 71. A computer program embodied on a computer readable medium as recited in claim 70 further comprising:

code means for using the network to provide a supply chain planning tool for coordinating the supply of offerings between at least the first business entity and the second business entity (See discussion of applicant's claim 25 above).

Claim 73. A computer program embodied on a computer readable medium as recited in claim 72, further comprising:

code means for using the network to provide a production planning tool for facilitating collaborative capacity planning between at least the first business entity and the second business entity (See discussion of applicant's claim 27 above).

Claim 74. A computer program embodied on a computer readable medium as recited in claim 66, wherein the business entities include at least one of a service provider and a manufacturer and further comprising:

code means for using the network to conduct reverse inventory management between the at least one service provider and the at least one manufacturer (See discussion of applicant's claim 28 above).

Claim 75. A computer program embodied on a computer readable medium as recited in claim 68 further comprising:

(a) code means for displaying a plurality of offerings for demand and supply planning (See discussion of applicant's claim 29a) above);

(b) code means for tailoring the display of offerings automatically by generating prices associated with the offerings based on demand for the offerings and supply of the offerings (See discussion of applicant's claim 29b) above);

(c) code means for allowing a user to select the offerings for purchase using the network, wherein the user is one of the business entities (See discussion of applicant's claim 29c) above); and

(d) code means for using the network to accept payment in exchange for the selected offerings (See discussion of applicant's claim 29d) above).

Claim 76. The computer program embodied on a computer readable medium as recited in claim 74, further comprising:

code means for tailoring the display of offerings by generating prices additionally based on a geographic location of the user (See discussion of applicant's claim 31 above).

Claim 77. The computer program embodied on a computer readable medium as set forth in claim 74, further comprising:

code means for storing at least one of the prices generated (See discussion of applicant's claim 32 first element above); and

code means for displaying the stored price of the offerings to the user in a subsequent session, wherein the price was stored during a previous session (See discussion of applicant's claim 32 second element above).

Claim 78. The computer program embodied on a computer readable medium as set forth in claim 74, further comprising:

code means for tailoring the display of offerings by varying an availability of the offerings based on demand for and supply of the offerings (See discussion of applicant's claim 33 above).

Claim 79. A computer program embodied on a computer readable medium for collaborative network rollout as recited in claim 66, further comprising:

(a) code means for using the network to allow a user to review offerings (See discussion of applicant's claim 35a) above);

(b) code means for using the network to allow the user to select from the offerings (See discussion of applicant's claim 35b) above);

(c) code means for using the network to prompt the user to enter user indicia (See discussion of applicant's claim 35c) above);

(d) code means for using the network to receive the user indicia (See discussion of applicant's claim 35d) above);

(e) code means for completing the sale and delivery of the selected offerings (See discussion of applicant's claim 35e) above);

(f) code means for using the network to monitor the status of the selected offerings using the user indicia for demand and supply planning (See discussion of applicant's claim 35f) above); and

(g) code means for using the network to communicate information on demand and supply planning the selected offerings to the user based on the user indicia (See discussion of applicant's claim 35g) above).

Claim 80. The computer program embodied on a computer readable medium as set forth in claim 79, wherein the user indicia includes a user profile (See discussion of applicant's claim 37 above).

Claim 81. The computer program embodied on a computer readable medium as set forth in claim 80, wherein the user profile defines the at least one of products and services which the user currently at least one of possesses and purchases (See discussion of applicant's claim 38 above).

Claim 82. The computer program embodied on a computer readable medium as set forth in claim 81, wherein the user profile defines at least one of levels of support, support channel, systems of use of the at least one of products and services, and future purchasing plans (See discussion of applicant's claim 39 above).

Claim 83. A computer program embodied on a computer readable medium as recited in claim 70 further comprising:

(a) code means for using the network to manage client verification data for user authentication purposes (See discussion of applicant's claim 44a) above);

(b) code means for using the network to provide electronic mail capabilities (See discussion of applicant's claim 44b) above);

(c) code means for using the network to enable network browsing (See discussion of applicant's claim 44c) above);

(d) code means for using the network to afford file transfer capabilities (See discussion of applicant's claim 44d) above);

(e) code means for using the network to provide news reader capabilities (See discussion of applicant's claim 44e) above);

(f) code means for using the network to afford chat room capabilities (See discussion of applicant's claim 44f) above);

(g) code means for using the network to enable playback capabilities (See discussion of applicant's claim 44g) above); and

(h) code means for using the network to provide financial transaction capabilities (See discussion of applicant's claim 44g) above).

Claim 84. A computer program embodied on a computer readable medium as recited in claim 83, wherein managing client verification data for user authentication purposes in a network-based supply chain includes:

code means for using a user profile (See discussion of applicant's claim 45 above).

Claim 86. A computer program embodied on a computer readable medium as recited in claim 73, wherein the step of providing data access from multiple simultaneous data sources using a network includes supporting database connectivity protocols (See discussion of applicant's claim 47 above).

Claim 87. A computer program embodied on a computer readable medium as recited in claim 73, wherein providing data access from multiple simultaneous data sources using a network includes:

code means for supporting data transfer in multiple languages (See discussion of applicant's claim 48 above).

Claim 88. A computer program embodied on a computer readable medium as recited in claim 73, wherein the step of providing data access from multiple simultaneous data sources using a network includes providing a common data access language (See discussion of applicant's claim 49 above).

Claim 89. A computer program embodied on a computer readable medium as recited in claim 66 further comprising:

(a) code means for using a network to collect data relating to usage and events occurring on at least one service provided by at least one service provider (See discussion of applicant's claim 52a) above);

(b) code means for analyzing the data to determine a status of the service (See discussion of applicant's claim 52b) above);

(c) code means for using the status of the service to predict future demand by the service provider for equipment offering supplied by a manufacturer (See discussion of applicant's claim 52c) above); and

(d) code means for determining production capacity, inventory, costs and discounts of manufacturer offerings based on the status of the service (See discussion of applicant's claim 52d) above).

Claim 90. A computer program embodied on a computer readable medium as recited in claim 89, wherein the events include changes to the at least one service (See discussion of applicant's claim 53 above).

Claim 91. A computer program embodied on a computer readable medium as recited in claim 89, wherein the events include capacity requests for the at least one service (See discussion of applicant's claim 54 above).

Claim 92. A computer program embodied on a computer readable medium as recited in claim 89, wherein the events include performance degradation of the at least one service (See discussion of applicant's claim 55 above).

Claim 93. A computer program embodied on a computer readable medium as recited in claim 89, further comprising:

code means for using the network to suggests changes to the manufacturer offerings inventory of at least one manufacturer based on the status of the at least one service in order to optimize supply and costs of the manufacturer offerings (See discussion of applicant's claim 56 above).

Claim 94. A computer program embodied on a computer readable medium recited in claim 66 for technology sharing during demand and supply planning in a network-based supply chain, comprising:

(a) code means for providing locator capabilities utilizing a network (See discussion of applicant's claim 57a) above);

(b) code means for transmitting and receiving technology utilizing the network, wherein the technology includes at least one of streaming video and audio data utilizing the network (See discussion of applicant's claim 57b) above);

(c) code means for logging events utilizing the network (See discussion of applicant's claim 57c) above);

(d) code means for managing user profile information utilizing the network (See discussion of applicant's claim 57d) above);

(e) code means for wherein steps (a)-(d) are carried out for demand and supply planning of the network (See discussion of applicant's claim 57e) above).

Claim 95. A computer program embodied on a computer readable medium as recited in claim 94, wherein providing locator capabilities utilizing a network includes:

code means for searching criteria to identify and display a locator map (See discussion of applicant's claim 58 above).

Claim 96. A computer program embodied on a computer readable medium as recited in claim 94, wherein transmitting and receiving technology includes:

code means for transmitting and receiving streaming, stereo audio data (See discussion of applicant's claim 59 above).

Claim 97. A computer program embodied on a computer readable medium as recited in claim 94, wherein transmitting and receiving technology includes:

code means for an encryption capability (See discussion of applicant's claim 60 above).

Claim 98. A computer program embodied on a computer readable medium as recited in claim 94, wherein logging events utilizing the network includes:

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code means for an event reporting capability (See discussion of applicant's claim 61 above).

Claim 99. A computer program embodied on a computer readable medium as recited in claim 94, wherein logging events utilizing the network includes:

code means for an event log management capability (See discussion of applicant's claim 62 above).

Claim 100. A computer program embodied on a computer readable medium as recited in claim 94, wherein managing user profile information utilizing the network includes:

code means for automatically receiving and storing user identity and state (See discussion of applicant's claim 63 above).

Claim 101. A computer program embodied on a computer readable medium as recited in claim 100, wherein managing user profile information utilizing the network includes:

code means for automatically receiving and storing user preferences and interests (See discussion of applicant's claim 64 above).

Claim 102. A computer program embodied on a computer readable medium as recited in claim 94, wherein managing user profile information utilizing the network includes:

code means for automatically exporting the user profile information to an active profile manager (See discussion of applicant's claim 65 above).

Claim 103. A system for a framework management to provide for collaborative planning using a network between at least a first business entity and a second business entity such as service providers, vendors, resellers, manufacturers and the like, comprising:

(a) logic circuit for using a network to receive information from at least a first business entity, including information relating to a demand of at least the first independent business entity for offerings (See discussion of applicant's claim 66a) above);

(b) logic circuit for using a network to receive information from at least a second business entity, including information relating to a supply of offerings from at least the second business entity (See discussion of applicant's claim 66b) above);

(c) logic circuit for comparing the supply and the demand for the offerings (See discussion of applicant's claim 66c) above);

(d) logic circuit for using the comparison of the supply and the demand for the offerings to plan future supply and demand for the offerings (See discussion of applicant's claim 66d) above);

e) logic circuit for using the network to facilitate planning between at least the first business entity and the second business entity (See discussion of applicant's claim 66e) above);

f) logic circuit for using the network to provide data access from multiple simultaneous data sources using a data network for demand and supply planning in a network-based supply chain having at least one service provider and at least one manufacturer (See discussion of applicant's claim 66f) above);

g) logic circuit for using the network to store capacity data (See discussion of applicant's claim 66g) above); and

h) logic circuit wherein the step of storing capacity data using the network includes replication and synchronization (See discussion of applicant's claim 66h) above).

Claim 104. A system as recited in claim 103, further comprising:
logic circuit for using the network to facilitate collaborative network roll-out and planning between the at least one service provider and the at least one manufacturer (See discussion of applicant's claim 67 above).

Claim 105. A system as recited in claim 103, further comprising:
logic circuit for using the network to facilitate collaborative forecasting between at least the first business entity and the second business entity (See discussion of applicant's claim 68 above).

Claim 106. A system as recited in claim 103 further comprising:

logic circuit for using the network to provide a roll-out planning tool for facilitating collaborative network roll-out and planning between at least the first business entity and the second business entity (See discussion of applicant's claim 69 above).

Claim 107. A system as recited in claim 103, further comprising:

logic circuit for using the network to coordinate the supply and the demand of offerings between at least the first business entity and the second business entity (See discussion of applicant's claim 70 above).

Claim 108. A system as recited in claim 107 further comprising:

logic circuit for using the network to provide a supply chain planning tool for coordinating the supply of offerings between at least the first business entity and the second business entity (See discussion of applicant's claim 71 above).

Claim 109. A system as recited in claim 107, further comprising:

logic circuit for using the network to facilitate planning between at least the first business entity and the second business entity (See discussion of applicant's claim 72 above).

Claim 110. A system as recited in claim 109, further comprising:

logic circuit for using the network to provide a production planning tool for facilitating collaborative capacity planning between at least the first business entity and the second business entity (See discussion of applicant's claim 73 above).

Claim 111. A system as recited in claim 105, wherein the of business entities includes at least on of a service provider and a manufacturer and further comprising:

logic circuit for using the network to conduct reverse inventory management between the at least one service provider and the at least one manufacturer (See discussion of applicant's claim 74 above).

Claim 112. A system as recited in claim 105 further comprising:

(a) logic circuit for displaying a plurality of offerings for demand and supply planning (See discussion of applicant's claim 75a) above);

(b) logic circuit for tailoring the display of offerings automatically by generating prices associated with the offerings based on demand for the offerings and supply of the offerings (See discussion of applicant's claim 75b) above);

(c) logic circuit for allowing a user to select the offerings for purchase using the network, wherein the user is one of the business entities (See discussion of applicant's claim 75c) above); and

(d) logic circuit for using the network to accept payment in exchange for the selected offerings (See discussion of applicant's claim 75d) above).

Claim 113. A system for collaborative network rollout as recited in claim 100, further comprising:

(a) logic circuit for using the network to allow a user to review offerings (See discussion of applicant's claim 79a) above);

(b) logic circuit for using the network to allow the user to select from the offerings (See discussion of applicant's claim 79b) above);

(c) logic circuit for using the network to prompt the user to enter user indicia (See discussion of applicant's claim 79c) above);

(d) logic circuit for using the network to receive the user indicia (See discussion of applicant's claim 79d) above);

(e) logic circuit for completing the sale and delivery of the selected offerings (See discussion of applicant's claim 79e) above);

(f) logic circuit for using the network to monitor the status of the selected offerings using the user indicia for demand and supply planning (See discussion of applicant's claim 79f) above); and

(g) logic circuit for using the network to communicate information on demand and supply planning the selected offerings to the user based on the user indicia (See discussion of applicant's claim 79g) above).

Claim 114. A system as recited in claim 101 further comprising:

(a) logic circuit for using the network to manage client verification data for user authentication purposes (See discussion of applicant's claim 44a) above);

(b) logic circuit for using the network to provide electronic mail capabilities (See discussion of applicant's claim 44b) above);

(c) logic circuit for using the network to enable network browsing (See discussion of applicant's claim 44c) above);

(d) logic circuit for using the network to afford file transfer capabilities (See discussion of applicant's claim 44d) above);

(e) logic circuit for using the network to provide news reader capabilities (See discussion of applicant's claim 44e) above);

(f) logic circuit for using the network to afford chat room capabilities (See discussion of applicant's claim 44f) above);

(g) logic circuit for using the network to enable playback capabilities (See discussion of applicant's claim 44g) above); and

(h) logic circuit for using the network to provide financial transaction capabilities (See discussion of applicant's claim 44h) above).

Claim 116. A system as recited in claim 103 further comprising:

(a) logic circuit for using a network to collect data relating to usage and events occurring on at least one service provided by at least one service provider (See discussion of applicant's claim 89a) above);

(b) logic circuit for analyzing the data to determine a status of the service (See discussion of applicant's claim 89b) above);

(c) logic circuit for using the status of the service to predict future demand by the service provider for equipment offering supplied by a manufacturer (See discussion of applicant's claim 89c) above); and

(d) logic circuit for determining production capacity, inventory, costs and discounts of manufacturer offerings based on the status of the service (See discussion of applicant's claim 89d) above).

Claim 117. A system recited in claim 103 for technology sharing during demand and supply planning in a network-based supply chain, comprising:

(a) logic circuit for providing locator capabilities utilizing a network (See discussion of applicant's claim 94a) above);

(b) logic circuit for transmitting and receiving technology utilizing the network, wherein the technology includes at least one of streaming video and audio data utilizing the network (See discussion of applicant's claim 94b) above);

(c) logic circuit for logging events utilizing the network (See discussion of applicant's claim 94c) above);

(d) logic circuit for managing user profile information utilizing the network;
(e) logic circuit for wherein steps (a)-(d) are carried out for demand and supply planning of the network (See discussion of applicant's claim 94d) above).

Response to Arguments


6. Applicant's arguments filed October 18, 2004 and August 26, 2004 have been fully considered, deemed persuasive and Dugan et al has been withdrawn.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. Irshadullah whose telephone number is 703-308-6683. The examiner can normally be reached Monday-Friday from 10:00 a.m. to 6:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on 703-305-9643. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


M. Irshadullah
January 04, 2004


TARIQ R. HAFIZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600